S.B.Criminal Misc. Petition No. 1129/2005
(Satish Madan Vs. State of Rajasthan & Anr.)

Date of order : 12.07.2006

HON'BLE MR.H.R.PANWAR,J.

Mr. M.K.Garg for the petitioner.
Mr. Ashok Upadhyay, P.P.
Mr. Girish Sankhla for the non-petitioner No.2.

Heard learned counsel for the parties. Perused the order impugned.

The trial court by the order impugned has considered the material on record. Though the receipt of the washing machine said to be in the name of the petitioner but original of which has been produced by the complainant non-petitioner No.2 before the trial court and there is evidence may be oral statement of the witnesses to the effect that the money for purchasing the washing machine was given by the parents of the complainant. This is a question of fact and has to be decided by evidence which the parties are yet to lead and by an interim order this conclusion cannot be drawn that the washing machine belongs to the petitioner.

In the circumstances therefore, I do not find any ground to interfere in the order impugned by invoking inherent jurisdiction under Section 482 Cr.P.C.

The petition is therefore, dismissed. Stay petition also stands dismissed.

(H.R.PANWAR), J.

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